

Thomas Maesele

Department of Social Welfare Studies
Faculty of Psychology and Educational Sciences
Ghent University
Ghent, Belgium
E-Mail: Thomas.Maesele@UGent.be

From charity to welfare rights? A study of social care practices

My PhD project starts from the finding of a (conceptual) transition from charity to welfare rights in social work, as can be found in scholarly literature in Belgium and beyond (Schuyt, 1978; Goodin, 1988; Notredame, 1997; Bouverne-De Bie, 2003; Vranken, 2005). In Belgium this transition was initiated with the law on a basic minimum income of 1974, which for the first time guaranteed a right to a basic minimum income. In 1976 the law on the Public Centres for Social Welfare (PCSW) (Openbare Centra voor Maatschappelijk Welzijn), which are the successors of the Commissions of Public Assistance (Commissies van Openbare Onderstand), formally established a right to social welfare. The right to social welfare had and has as an aim to guarantee a dignified existence for all people in Belgium. This meant the completion of the transition to welfare rights. However, some Belgian scholars argue that we experience a throwback to charity through the dominance of workfare and more particularly the growing conditionality of these welfare rights (Notredame, 1999).

The law on the PCSW obliges the Belgian State to secure a dignified existence. However, it is still not clear how the concrete social care practice gives shape to this right. Using the theoretical framework of 'street level bureaucracy' (Lipsky, 1990) we try to understand how social workers use legal rules in their frontline practice. The right to social welfare is a legally enshrined right which gets its concrete form in the way it is used in this social practice. In the scholarly literature we find two interpretations of welfare rights: a minimalistic view and a maximalistic one (Hubeau, 1995, Andreassen, Smith & Stokke, 2002; Mulderrig, 2007). The latter acknowledges the reformative power of the right to social welfare to attain more equal opportunities for all. The former sees the right to social welfare as limited to protection in situations of risk (Bouverne-De Bie, 2005). This conceptual discussion, however, is not based on empirical validated results. The aim of my dissertation project is to explore how these welfare rights get shaped in the social care practice of the PCSW and what this construction means for social care delivery.

Several research steps will be undertaken. Firstly we will do a case study of the PCSW of Ghent where case files will be analysed and an analysis will be undertaken of the procedure (and especially which rights are guaranteed in the procedure) between intake and decision (the scheme of analysis will be constructed together with service users). Next to the case study, interviews and focus groups will be held with social workers and pioneers of the rights movement in Belgium and the results of the previous researches in this study will be integrated in survey questions to cover the whole field of PCSW in Flanders (which is the Dutch speaking region in the North of Belgium).

Bibliography

- Andreassen, B.A., Smith, A.G. & Stokke, H. (1992) Compliance with Economic and Social Human Rights: Realistic Evaluations and Monitoring in the Light of Immediate Obligations. In: Eide, A. & Hagtvet, B. (eds.) *Human Rights in Perspective - A Global Assessment*. (pp. 252-267) Oxford: Blackwell.
- Bouverne-De Bie, M. (2003) Een rechtenbenadering als referentiekader. In: Bouverne-De Bie, M., Claeys, A., De Cock, A. & Vanhee, J. (red.) *Armoede & participatie*. (pp.1-20) Gent: Academia Press.
- Bouverne-De Bie, M. (2005) Het OCMW en het recht op maatschappelijke dienstverlening. In: Vranken, J., De Boyser, K. & Dierckx, D. (red.) *Armoede en sociale uitsluiting. Jaarboek 2005*. Leuven: Acco.
- Goodin, R.E. (1988) *Reasons for welfare. The political theory of the welfare state*. New Jersey: Princeton University Press.
- Hubeau, B. (1995), De doorwerking van de sociale grondrechten in de Belgische Grondwet: over de maximalisten en de minimalisten. In: Vranken, J., Geldof, D. & Van Menxel, G. (red.), *Armoede en Sociale Uitsluiting. Jaarboek 1995*. (Pp. 157-166) Leuven: Acco.
- Mulderrig, J. (2007) *Equality and human rights: key concepts and issues*. Retrieved on June 10 from: http://eprints.lancs.ac.uk/1274/1/Equality_and_Human_Rights_07.pdf
- Notredame, L. (1997) Het OCMW op de drempel van de 21e eeuw. *Welzijnszorg*, 26, 45-68.
- Storey, H. (1995) Human rights and the new Europe: experience and experiment. *Political Studies*, 43(3), 131-151.
- Vranken, J. (2005) Het OCMW: dertig jaren onderweg naar een recht op maatschappelijke dienstverlening. In: Vranken, J., De Boyser, K. & Dierckx, D. (red.) *Armoede en sociale uitsluiting. Jaarboek 2005*. (pp. 151-163) Leuven: Acco.